



# राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खंड III ]

शिमला, शनिवार, 16 अप्रैल, 1955

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भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उपराज्यपाल और जुडिशल कमिश्नरज कोर्ट द्वारा अधिसूचनाएं इत्यादि

HIMACHAL PRADESH GOVERNMENT

Simla-4, the 9th April, 1955

Establishment Branch

NOTIFICATION

Simla-4, the 4th April, 1955

No. A-8-38/53.—Shri Man Singh Jandrotia, Chief Superintendent, Himachal Pradesh Secretariat, is granted 60 days' Earned leave with effect from the third January, 1955, F. N. to the 3rd March, 1955, A. N., with permission to prefix Gazetted holidays on the 1st and 2nd January, 1955; subject to verification of title to leave by the Accountant General, Punjab.

No. A-67-5/48.—Shri Jagan Nath Saini, P. V. S., Animal Husbandry Officer, Himachal Pradesh, is granted one month and 23 days' leave on average pay with effect from 21st January, 1955 to 15th March, 1955 on medical grounds.

MAHESH CHANDRA,  
Chief Secretary.

**Home, Gazette and Transport Department****NOTIFICATIONS**

Simla-4, the 1st February, 1955

No. HGT-4-3/55.—In exercise of the powers under Section 12, Criminal Procedure Code, Lieutenant Governor, Himachal Pradesh, is pleased to confer the powers of a Magistrate of the 1st Class, on Shri Bhagwant Sarup Gautam to be exercised within the limits of Mahasu District with immediate effect.

SHIV SINGH P.C.S.,

Assistant Secretary (Home).

Simla-4, the 2nd April, 1955

No. HGT-77-30/55.—The Lieut.-Governor, Himachal Pradesh, is pleased to promote Shri Gangbir Singh, Inspector of Police as officiating Deputy Superintendent of Police in the grade of Rs. 300-25-650/30-800 against an existing vacancy in the Criminal Investigating Department with effect from the date he takes over the charge.

By order,

SHIV SINGH,

Assistant Secretary (Home).

**Industries Department****CORRIGENDUM**

Simla-4, the 9th April, 1955

No. I & S-88 14/54.—Please read "6th July, 1955" for the date "31st December, 1954" occurring in para 2 of this office Notification of even number dated the 7th July, 1954.

By order,

FATEH SINGH,

Secretary.

**Public Works Department****NOTIFICATIONS**

Simla-4, the 6th April, 1955

No. P.W- 57-2/54-12240.—The following Overseers-in-Charge are hereby promoted as officiating Sub-Divisional Officers in the scale of Rs. 250-25-550/25-750 from the dates shown against each:-

Name

Date

- |  |           |
|--|-----------|
| 1. Shri Banwari Lal, Overseer in-Charge, Chini Sub Division, Rampur Division, Himachal Pradesh, Public Works Department.   | 16-9-1954 |
| 2. Shri Ghansham Dass, Overseer-in-Charge, Irrigation Sub-Division, Nahan, Irrigation Division, Himachal Pradesh, P. W. D. | 17-9-1954 |

3. Shri R. B. Saksena, Overseer in-Charge, Renka Sub-Division, Nahan Division, Nahan, Himachal Pradesh - Public Works Department. 18-9-1954

G. R. NANGEA,

Secretary.

**Revenue Department****NOTIFICATIONS**

Simla-4, the 6th April, 1955

No. R-81-307/49.—Shri Jit Ram Tehsildar is granted 68 days' earned leave with effect from the forenoon of the 30th October, 1954.

Simla-4, the 11th April, 1955.

No. R-60-40/55.—WHEREAS it appears to the Lieutenant Governor, Himachal Pradesh, that land is likely to be required to be taken by the Government at the public expense for a public purpose, namely for construction of Veterinary Hospital building with staff quarters it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

2. This notification is made under the provisions of Section 4 of the Land Acquisition Act, 1894, as applied to Himachal Pradesh to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor, is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

4. Any person interested who has any objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Mandi District, Mandi.

**SPECIFICATION**

District : MANDI

Tehsil : CHACHIOT

Village : JANJHELI

Khasra No.

Area

Big. Bis. Biswansi

227	1	8	0
228	0	10	0
229	0	14	9
240	0	19	1
241	0	4	14
242	1	5	4

Simla-4, the 11th April, 1955

**No. R-86-64/52 (II).**—The notice given in Appendix 'A' inviting applications for the posts of Naib Tehsildars in Himachal Pradesh is hereby published for general information.

By order,  
**BASANT RAI,**  
Assistant Secretary.

Applications are invited for the posts of Naib Tehsildars in Himachal Pradesh to reach the undersigned before 10th May, 1955, stating qualifications, experience and age etc. The posts carry the scale of :-

Rs. 80-5-140/7½-185 for those who have not passed the Naib-Tehsildars examination.

Rs. 125-5-185/7½-230 for those who have passed the Naib-Tehsildars examination.

Applications should be accompanied by the following certificates :-

- (i) Certificate of residence signed by a Magistrate of the 1st or 2nd Class of the District to which the candidate belongs.
- (ii) Attested copies (not original) of certificates of educational qualifications, age etc.

Applications from Government servants should be sent through proper channel.

Financial Commissioner,  
Himachal Pradesh.

**भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिमूचनाएं इत्यादि**

**Public Works Department**

**NOTIFICATION**

Simla-4, the 9th April, 1955

**No. PW 59 1/55-12311-14.**—Consequent upon the bifurcation of the Superintending Engineer's office, Shri N. N. Khanna, Superintending Engineer 1st Circle (Mandi) Himachal Pradesh P.W.D., Simla, is hereby declared as Drawing and Disbursing Officer within his jurisdiction i.e. Mandi, Bilaspur and Chamba Divisions,

with effect from 1-3-1955 under para 3 of G. F. R. Vol-1.

Since, however, his headquarters are temporarily located at Simla, he is declared as such within Mahasu Division also till such time as his headquarters move to a place within his jurisdiction.

G. R. NANGEA,  
-Chief Engineer.

**भाग 3—अधिनियम, विधेयक, और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उपराज्यपाल, जुडिशल कमिशनरज कोर्ट, फाइनैन्शल कमिशनर, कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि ।**

**JUDICIAL COMMISSIONER'S COURT**

**NOTIFICATION**

Simla-1, the 7th April, 1955

**No. J.C.-I.R.O./49.**—In exercise of the powers under paras 12 and 42 of the Himachal Pradesh (Courts) Order, 1948, and all other powers enabling him in this behalf regarding appeals to the Supreme Court, the Judicial Commissioner, Himachal Pradesh, with the previous approval of the Lieutenant Governor, is pleased to make the following rules. These rules shall form part A and the Supreme Court Rules, 1950, as amended from time to time, part B of Chapter 8, Volume V of the Punjab High Court Rules and Orders, as made applicable to the Himachal Pradesh Courts.

It is further directed that Chapter 9 of Volume V of the aforesaid Rules and Orders, shall hereafter, be treated as deleted.

**RULES**

**CIVIL APPEALS**

**1. Form and contents petition for leave to appeal to the Supreme Court.**—(A) Petition for

leave to appeal to the Supreme Court shall comply with the requirements of Rule 3 (1), Order XLV, of the Code of Civil Procedure and contain the following particulars :—

- (a) the name and address of each petitioner ;
- (b) the name and address of each person whom it is proposed to make a respondent ;
- (c) the Court in which, and the name of the Judge or Judges by whom the decree, complained of, was made ;
- (d) the date when such decree was made ;
- (e) the value of the subject-matter of the suit in the Court of first instance ;
- (f) the value of the subject-matter in dispute in appeal ; and
- (g) the relief sought by such petition ; and shall be signed by the petitioner or by some Advocate or Vakil on the rolls of the Court on his behalf.

(B) Every petition together with its enclosures, if any, shall be accompanied by three typed copies of the same for the use of the

Court. The typed matter shall be in double spacing, legible and on one side of the paper.

2. (a) Upon receipt of such petition, the Court after sending for the record and after fixing a day for hearing the applicant or his pleader, hearing him accordingly if he appears on that day, may dismiss the petition.

(b) Notice to issue on the application.—Unless the Court dismiss the petition under the sub-rule (a) it shall direct notice thereof to be given to the opposite party to show cause why the said certificate should not be granted. The notice shall be in Form A appended to these rules. The process-fee for the issue of the notice must be paid into Court within one week of the order of the Court directing issue of notice.

3. Deposit of security on grant of certificates.—When the Court grants a certificate, which shall be in Form B appended to these rules, the petitioner shall be required to deposit within ninety days, or such be required to deposit within ninety days, or such further period not exceeding sixty days, as the Court may, upon cause show, allow from the date of the decree complained of, or within six weeks from the date of the grant of the certificate (whichever is the later date) a sum of Rs. 2,500 as security for the respondent's costs.

In any special case the Court may, if it thinks fit, upon the application of the respondent, require security to a larger amount; but in no case exceeding rupees ten thousand.

4. Form of Security.—The security referred to in Rule 3 shall ordinarily be furnished in cash or in Government Securities, but the court, at the time of granting the certificate, may, after hearing the opposite party who appears, order on the ground of special hardship that some other form of security may be furnished.

Provided that no adjournment shall be granted to the opposite party to contest the nature of such security.

5. Form of Security in certain cases.—The security referred to in Order XLV, Rules 13 and 14 of the Code of Civil Procedure, shall be of such nature and amount as the Court may, on the merits of the case, decide.

6. Deposit of costs of preparation of records.—If the application is from the judgment of the Judicial Commissioner's Court in an appeal other than an appeal from an original decree or order, the applicant shall deposit a lump sum of Rs. 400 within the time limited by Order XLV, Rule 7, on account of the cost of the preparation of complete Parts I and II of the paper-book. The estimates in such cases will be prepared in accordance with the rates prescribed in Schedule B annexed hereto and served as soon as possible after the receipt of the records and the filing of lists by the parties, but the said deposit of Rs. 400 shall be made within the prescribed time irrespective of the service of estimates.

## 7. Inclusion of documents in paper book.—

(a) If the appellant desires to include in Part I or Part II of the paper books used at the hearing of the appeal in the Judicial Commissioner's court any papers on which the decision of the appeal to the Supreme Court depends, which have not already been included in the paper books or to exclude therefrom any papers on the ground that they are irrelevant to the subject matter of the appeal to the Supreme Court, he shall within one week from the date of service upon him of the notice about the receipt of Lower Court records, apply to the Registrar for an order accordingly, and file with his application a complete list of the papers to be included in, or excluded from the printed paper book; and he shall, at the same time, serve copies of his application and list on the appearing respondents.

(b) Within one week from the date of receipt by them of the copies of the application and list mentioned in clause (a) the appearing respondents shall, if they so desire, file a similar application and list and simultaneously serve copies thereof on the appellant.

(c) In the case of appeal from the judgment of the Judicial Commissioner's Court in an appeal other than an appeal from an original decree or order, the appellant shall file a complete list of the papers which he wishes to include in Parts I and II of the paper book within two weeks of the service of notice about the receipt of lower court records, and shall simultaneously serve a copy thereof on the appearing respondents who shall thereupon prepare and file their lists within one week of the receipt of the appellant's list and simultaneously serve copies thereof on the appellant.

(d) If any party considers that any paper, or portion thereof, should be included in, or omitted from the lists, he may within one week from the receipt of a copy of the list of the other side, and after giving notice to the other side of his intended application, apply to the Registrar for an order that such paper, or portion thereof, should be inserted in the paper-book, or be omitted therefrom.

(e) If the parties are not in agreement as to whether a document should be included or not and as to which party shall bear the cost of inclusion of any document, the matter will at once be laid before the Judicial Commissioner, whose decision shall be final.

(f) Where an order is passed under clause (e) for exclusion on the application under clause (a) the excluded portion or portions shall be indicated by asterisks, where portion or portions of a paper are excluded, and a foot-note shall be made by the Dealing Assistant giving reference to the order of the Judicial Commissioner. Where a paper or papers are excluded entirely, a list of the paper or papers excluded shall be made and shall form part of the transcript record to the Supreme Court. The Order or Orders passed by the Judicial Commissioner

under clause (e) shall also form part of such transcript record.

**8. Deposit for drawing up an estimate.**—With his application mentioned in rule 7(a) the appellant shall deposit a sum of Rs. 16 for drawing up an estimate of the expense to be incurred in having the record printed :

Provided that it shall be at the discretion of the Registrar to dispense with the estimate and to allow the petitioner to deposit such sum on account of expense as may, under the circumstances of the case, be reasonable.

**9. When appeal to be declared as admitted.**—Where the security mentioned in Rule 3 has been furnished and the deposits required by Rules 6 and 8 made, the Court shall declare the appeal admitted; and give notice thereof in Form C appended to these rules to the respondent.

**10. Action to be taken when security and cost not deposited.**—Where an appellant, having obtained a certificate for the admission of an appeal, fails to furnish the security or make the deposit required by Rules 3, 6 and 8 or apply with due diligence to the Court for an order admitting the Appeal, the Court may, on its own motion or on an application in that behalf made by the respondent, cancel the certificate for the admission of the appeal, and may give such directions as to the costs of the Appeal and the security entered into by the Appellant as the Court shall think fit, or make such further or other order in the premises as, in the opinion of the Court, the justice of the case requires.

**11. Translations of vernacular documents to be made and revised.**—All additional documents to be printed which are not in the English language, and which have not been translated for the use of the Court, shall be translated into English under the orders of the Registrar, and all the translations made or used shall be revised and authenticated by the Head Translator.

For such translation, revision and authentication a period not exceeding two month shall be fixed by the Registrar.

**12. Preparation and printing of the records.**—The Record shall be prepared and printed under the supervision of the Judicial Commissioner's Court in accordance with the rules contained in Schedule A attached hereto, and the parties may submit any disputed question arising in connection therewith to the decision of the court and it shall give such directions thereon as the justice of the case may require.

**13. Arrangement and index of printed record.**—As soon as the transcript or printed Record is complete, it shall be arranged, as far as possible in chronological order, and complete index of all papers, documents and exhibits in the cause with a list showing these which have been omitted from the transcript or printed record, shall

be prepared under the orders of the Registrar within a period of one month.

**14. Despatch of Record to the Supreme Court.**—When the Record has been made ready, the Registrar shall—

- (i) at the expense of the appellant transmit to the Registrar of the Supreme Court such number of copies as the Supreme Court may direct, or, in the absence of any special direction in this behalf, 25 copies of such record, one of which copies he shall certify to be correct by signing his name on, or initialing, every eighth page thereof and by affixing thereto the Seal of the Court;
- (ii) give notice of the despatch of the record to the parties through the Senior Sub-Judge of the District concerned and;
- (iii) When the Senior Sub-Judge has intimated the service of notices on the parties, send to the Registrar, Supreme Court, a certificate in manuscript (in Form D appended to these rules) as to the date or dates on which the notice or notices under the proceedings sub-clause (ii) was or were served.

**15. Extension of period for compilation of the record.**—The periods prescribed in Rules 6, 7, 8, 11 and 13 for the several stages in the compilation of the transcript or printed record may, for sufficient reasons, be extended under orders of the Court.

**16. Record of substitution heirs of the deceased parties.**—The supplemental records dealing with substitution and representation of heirs of deceased parties shall be transmitted to the Supreme Courts. If the paper book has already been printed the Supplemental record shall be in manuscript.

**17. Duty of Registrar to take action if appellant is not diligent.**—The Registrar shall periodically and at short intervals place on the Court's list all appeals which it appears to him that the appellants are not diligently prosecuting and call on the appellants to show cause before the Court why the appeals should not be dismissed for want of prosecution.

**18. Order of a single Judge sufficient.**—For the purpose of these rules, where the orders of Court are required, the order of one Judge shall be sufficient.

**19. Registrar may delegate his duties to the Asstt. Registrar or other officer of the Court.**—The Registrar may, under the orders of the Court, delegate any of the duties which devolve upon him under these rules, to the Superintendent or other officer of the Court.

**20.** A notice, which it is necessary to serve under these rules or under Order XLV of the Code of Civil Procedure, may be served in the manner provided by the Code of C. P. for the service of notices, or upon an advocate or Vakil



who has appeared for the party to whom notice is to be given.

21. **Certificate obtained by the party at the time of disposal of an appeal or any proceeding.**—When a certificate for leave to appeal to the Supreme Court has been obtained by the party at the time of the disposal of an appeal or any proceeding, he shall file an application containing the grounds of his appeal for an order for the registration of the appeal and preparation of the record together with a sum of Rs. 16 for drawing up an estimate for the preparation of the record.

22. **Special leave to Appeal granted by Supreme Court.**—On receipt from the Supreme Court of a certified copy of an order granting special leave to appeal under order XIII, Rule 7, of the Supreme Court Rules, 1950 the Judicial Commissioner's Court shall, in the absence of any special directions in the order, act in accordance with the provision contained in Order XLV of the Code of Civil Procedure, so far as applicable.

23. **Appeal under Article 135 of the Constitution.**—The aforesaid Rules shall apply *mutatis mutandis* to appeal under Article 135 of the Constitution.

### CRIMINAL APPEALS

1. **Time for an application for a certificate under Article 132 (1) or for a certificate under Article 134 (1) (e) of the Constitution.**—An application for a certificate required in respect of a Criminal Proceeding under Article 132 (1) or for a certificate under Article 134 (1) (e) of the Constitution shall be filed, subject to the provisions of sections 4, 5 and 12 of the Indian Limitation Act, IX of 1908, within 90 days from the date of Judgment or order of the Judicial Commissioner's Court.

2. **Printing of record in Criminal Appeals.**—On receipt of the copy of petition from the Supreme Court under Rule 6 of Order XXI of the Supreme Court Rules, 1954, the Judicial Commissioner's Court shall arrange for the printing of the record in the case and for the transmission of the printed record to the Supreme Court with all convenient speed. The record shall be printed at the expense of the appellant, unless otherwise ordered by the Supreme Court. In appeals involving sentence of death, the record shall be printed at the expense of the Government.

3. **Despatch of record in Criminal appeals.**—As soon as the record has been got ready, the Registrar of the Supreme Court not less than 15 copies. In cases falling under Article 134(1) (a) and (b), the printed record shall be dispatched to the Supreme Court within a period of forty-five days after the receipt of the intimation from the Registrar of the Supreme Court of the filing of the petition of appeal.

4. **Rules applicable to Criminal appeals.**—So far as may be, the Rules in this chapter relating to Civil Appeals shall, with the necessary

modifications and adaptations, apply to Criminal Appeals. Provided that in Criminal Proceedings no security for costs shall be required to be deposited.

5. **Lists of pending appeals.**—A list shall be maintained showing the numbers and dates of all pending Supreme Court Appeals in various stages of preparation and the Registrar shall examine every quarter all such appeals in arrears and call on the appellant who may be responsible for the delay to show cause before the Court why the appeal should not be dismissed for want of prosecution.

6. In printing the record of Criminal Appeals, the procedure laid down in these rules for Civil Appeals shall be followed,

### FORM A

#### IN THE COURT OF THE JUDICIAL COMMISSIONER FOR THE STATE OF HIMACHAL AT SIMLA

*Notice to show cause why a certificate of appeal to the Supreme Court of India should not be granted (Order XLV, Rule 3).*

#### TITLE

To take notice that .....has applied to this Court for a certificate that as regards amount or value and nature the above case fulfils the requirements of section 110 of the Code of Civil Procedure, 1908, or that it is otherwise a fit one for appeal to the Supreme Court of India

The..... day of ..... is fixed for you to show cause why the Court should not grant the certificate asked for.

Given under my hand and the seal of the Court this..... day.....

REGISTRAR

### FORM B

#### IN THE COURT OF JUDICIAL COMMISSIONER FOR THE STATE OF HIMACHAL AT SIMLA

CIVIL MISCELLANEOUS CASE No .....

Plaintiffs ) Petitioners.

Defendants ) Appellants.

*Versus*

(Plaintiffs)

Respondents

(Defendants)

*Court of India from the order of the Judicial Commissioner's Court of Jurisdiction for the State of Himachal Pradesh at Simla, dated the... day of .....*

On the application of the petitioners above-named it is hereby certified that the case above

set forth fulfils in my opinion the requirements of sections 110/109 of the Code of Civil Procedure (Act V of 1908), as regards its fitness for appeal to the Supreme Court of India for reasons stated in my order, dated..... a copy of which is attached. Date this..... day of.....

Judge J. C.

### FORM C

#### IN THE JUDICIAL COMMISSIONER'S COURT FOR THE STATE OF HIMACHAL PRADESH AT SIMLA

CIVIL MISCELLANEOUS SIDE No ..... ..

(Plaintiffs) Petitioners

(Defendants) Appellants.

*versus*

(Plaintiffs) Respondents.

(Defendants)

Claim .. ...

*Petition for leave to appeal to the Supreme Court of India from the Order of the Judicial Commissioner's Court for the State of Himachal Pradesh at Simla, dated the ..... day of .....*

Whereas the Petitioners above-named have given security and made deposit as required by Order XLV, Rule 7, of the Code of Civil Procedure (Act V of 1908), to the satisfaction of this Court, the appeal of the said petitioners to the Supreme Court of India is declared to be admitted.

Let notice be given to respondents.

Date this.....day of.....

..... J. C.

Claim .. ...

*Petition under Order XLV, Rule 2 of the Code of Civil Procedure (Act V of 1908) for leave to appeal to the Supreme Court*

### FORM D

#### IN THE JUDICIAL COMMISSIONER'S COURT FOR THE STATE OF HIMACHAL PRADESH AT SIMLA

CIVIL MISCELLANEOUS SIDE

Supreme Court Appeal No. .... of .....

..... Appellant.

*versus*

..... Respondent.

Certified that the.....Judge of..... has reported that notices issued to the appellant and the respondent informing them of the despatch of the printed record of proceedings of the above case to the Registrar of Supreme Court of India have been served on the parties.

REGISTRAR,

Judicial Commissioner's Court,  
Himachal Pradesh.

### SCHEDULE A

(Referred to in rule 12)

#### Rules as to Printing

I. All records and other proceedings in Appeals or other matters pending before the Supreme Court of India which are required by the above Rules to be printed shall be printed in the form known as Demy Quarto.

II. The size of the paper used shall be such that the sheet, when folded and trimmed, will be 11 inches in height and 8½ inches in width.

III. The type to be used in the text shall be pica type but long primer shall be used in printing accounts, tabular matters and notes. The number of lines in each page of pica type shall be 47 or thereabouts and every tenth line shall be numbered in the margin.

IV. Records shall be arranged in two parts in the same volume, where practicable, viz:—

#### PART I

The pleading and proceedings, the transcript of the evidence of the witnesses the Judgments, Decrees, etc., of the Courts, down to the Order admitting the Appeal.

#### PART II

The exhibits and documents.

V. The Index to part I shall be in chronological order and shall be placed at the beginning of the volume.

The Index of Part II shall follow the order of the exhibit mark, and shall be placed immediately after the Index to Part I.

VI. Part I shall be arranged strictly in chronological order in the same order as the index.

Part II shall be arranged in the most convenient way for the use of the Supreme Court of India, as the circumstances of the case require. The documents shall be printed as far as suitable in chronological order, mixing plaintiff's and defendant's documents together when necessary. Each document shall show its exhibits mark, and whether it is a Plaintiff's or Defendant's document (unless this is clear from the exhibit mark) and in all cases documents relating to the same matter, such as:

(a) A series of correspondence, or

(b) proceedings in a suit other than the one number appeal shall be kept together. The order in the Record of the documents in Part II will probably be different from the order of the Index and the proper page number of each document shall be inserted in the printed Index.

The parties will be responsible for arranging the Record in proper order for the Supreme Court of India and in difficult cases Counsel may be asked to settle it.

VII. The documents in Part I shall be numbered consecutively. The documents in Part II shall not be numbered, apart from the exhibit mark.

VIII. Each document shall have a heading which shall consist of the number of exhibit mark and the description of the document in the Index, without the date.

IX. Each document shall have a marginal note which shall be repeated on each page over which the document extends, viz:—

#### PART I

(a) Where the case has been before more than one Court, the short name of the Court shall first appear, where the case has been before only one Court, the name of the Court need not appear.

(b) The marginal note of the document shall then appear consisting of the number and the description of the document in the Index, with the date, except in the case of oral evidence.

(c) In the case of oral evidence, "Plaintiff's evidence" or "Defendant's evidence" shall appear beneath the name of the court, and then the marginal note consisting of the number in the Index and the "witness's name", with "examination", "cross-examination", or "re-examination", as the case may be.

#### PART II

The word "Exhibits" shall first appear. The marginal note of the exhibit shall then appear consisting of the exhibit mark and the description of the document in the Index, with the date.

X. The parties shall agree to the omission of formal and irrelevant documents, but the description of the document may appear (both in the Index and in the Record) if desired, with the words "not printed" against it.

A long series of documents, such as accounts, rent rules inventories etc., shall not be printed in full, unless counsel so advise, but the parties shall agree to short extracts being printed as specimens.

XI. In cases where maps are of an inconvenient size or unsuitable in character, the Appellant shall, in agreement with the Respondent, prepare maps drawn properly to scale and of reasonable size, showing as far as possible, the claims of the respective parties, in different colours.

#### SCHEDULE B

(REFERRED TO IN RULE 6)

Charges in respect of the matters provided for in the Supreme Court Appeal Rules:—

	Rs.	A.	P.
Estimate of costs.	16	0	0
Preparation of list of papers, per 10 entries or part of 10 entries.	1	0	0
Report on agreement of disagreement of parties as to omission, for each entry.	0	1	0
Translation of Vernacular papers, per 1,000 words.	8	0	0
Revision of Vernacular papers, per 1,000 words.	4	0	0
Transcribing record, per 1,000 words examining and certifying per 100 words.	0	10	0
Printing, per page.	3	4	0
Correcting proofs, per page.	0	8	0
Cost of paper, per sheet.	0	0	3
Chronological Index, per 10 entries or part thereof.	3	0	0

Notes:— (a) Translation includes the reading of the translated documents to the examiner,

(b) The above charges are subject to alteration by order of the Court.

By order,  
H. L. SONI,  
Registrar.

भाग 4 — स्थानीय स्वायत्त शासन : म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायत विभाग

शून्य

भाग 5 — वैयक्तिक अधिसूचनाएं और निज्ञापन

शून्य

भाग 6 — भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

Finance Department

NOTIFICATIONS

Simla-4, the 31st March, 1955

No. Fin. (Bud)38-35/52-II.—The Government of Madras, Finance Department's press

release No. 90, dated the 21st February, 1955 regarding the levy of sales tax on the non-resident dealers, is re-produced below for information:—

With a view to making available to non-resident dealers in a ready form all relevant



information pertaining to the system of taxation in vogue in this State, the Government of Madras brought out a hand book explaining the provisions of the Madras General Sales Tax Act, and the rules made thereunder, para 2 of the handbook says that the additional tax on luxury goods is leviable on the first seller in the State and that the non-resident seller being the first seller in the State has to pay the additional tax on such articles. After the Madras Central Sales Tax (Second Amendment) Act, 1954, came into force on August 23, 1954, the position has changed and the additional tax under Section 3 (2) of the Act is leviable on the first Sale after import into the State i.e. on the first resident dealer. The non-resident dealer is not liable to pay the additional tax but only the general rate of tax.

Simla 4, the 31st March, 1955

**No. Fin (Bud)38-35/52-11.**—The Government of Patiala & East Punjab States Union, Finance Department's Press Note dated the 12th January, 1955 regarding the sales-tax on non-resident dealers, is reproduced below for information:—

In accordance with the interpretation of Article 286 (1)(a) of the Constitution of India given by the Supreme Court in their judgment dated 30th March, 1953, in a case regarding the Bombay State versus the United Motors and others, sales tax is leviable on non-resident dealers by the State in which goods sold by them are delivered for consumption. This State Government have, therefore, decided to levy sales-tax on all such sales affected on or after the 1st January, 1954.

It is further notified for the information of non-resident dealers that the taxable quantum in their case has been prescribed at Rs. 5,000 and the dealers who are liable to pay tax should, before 15th February, 1955, apply to the Excise & Taxation Officer, Non-residents Circle, Patiala, for registration under section 7 of the PEPSU General Sales, Tax Ordinance, 2006, along with a treasury receipt of Rs. 5 as registration fee to be deposited in the Government treasury of Patiala. The registration fee can also be remitted by a Bank Draft on the Imperial Bank of India at Ambala, Delhi and Bombay drawn in favour of the Treasury Officer, Patiala, which should be forwarded to the aforesaid assessing authority.

The non-resident registered dealers shall submit by post quarterly returns within 30 days of the quarter ending 30th June, 30th September, 31st December and 31st March every year in the prescribed form, obtainable free from the said assessing authority, in respect of sales made for consumption in this State, along with the amount of tax payable in the manner already stated above. The declaration forms prescribed for the purpose and duly signed by the purchasing registered dealers, shall also be furnished alongwith the quarterly returns.

It has been further arranged that the accounts of a dealer would be examined at a

centrally located place in this State and efforts would be made to hear appeals in the dealer's State of residence.

In PEPSU, there is a single joint sales tax and the tax is chargeable at the rate of two pice a rupee subject to deductions laid down in sections 5 and 6 of the said Ordinance.

Copies of the Sales Tax Ordinance and the Rules thereunder can be had from the Superintendent, Bhupendra State Press, Patiala, on payment.

C. D. SHARMA,  
Finance Secretary.

## Home Department

### NOTIFICATION

Simla-4, the 6th April, 1955

**No. HGT.21-2/55.**—An order No.1/48/54-F-App/15, dated the 17th February, 1955, issued by the Government of India, Ministry of Information and Broadcasting, regarding the certification of film is hereby republished in the Himachal Pradesh Gazette for information of the general public.

*Copy of an order No: 1/48/54-F-App/15, dated the 17th February, 1955 issued by the Government of India, Ministry of Information and Broadcasting.*

To be Published in the Gazette of India Part II-Section 3.

**S. R. O.**—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the order of the Government of India in the Ministry of Information and Broadcasting, S. R. O. No. 331, dated the 3rd February, 1955, the Central Government, with the previous approval of the Film Advisory Board, Bombay, hereby certifies the film specified in column 2 of the Schedule hereto annexed, in all their language versions, to be of the description specified against each in the corresponding entry of column 5 of the said Schedule.

### SCHEDULE

Sl. No.	Title of the film	Name of the Producer	Source of supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5
1	Indian News Review No. 331	Government of India, Films Division, Bombay.	Government of India, Films Division, Bombay.	Film dealing with news and current events.
2	Vigil on Wheels	do	do	Documentary Film.

SHIV SINGH,  
Assistant Secretary (Home).

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भाग 7—भारतीय निर्वाचन-आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं  
तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं ।  
सूच्य